

FEB 23 2004

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FAX TRANSMITTAL COVER SHEET**Date:** February 23, 2004**No. of pages:** 4 (including this page)**To:** Examiner Amy R. Cohen**Company:** USPTO**Your Ref.:** 09/940,363**Fax No.:** (703) 872-9306**Phone No.:** (703) 305-4972**From:** Scott A. Lund**Re:** Request for Continued
Examination (RCE) 1.114**Our Ref.:** 10011180-1
H301.208.101**Phone No.:** (612) 573-2006

The following documents are being facsimile transmitted to the U.S.
Patent and Trademark Office:

- ☒ Request for Continued Examination (RCE) 37 CFR 1.114 (2 pgs.).
☒ Petition for One Month Extension of Time (1 pg.);

Please notify us at 612-573-2000 if all pages are not received.

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P. O. Box 272400
Fort Collins, Colorado 80527-2400

PATENT APPLICATION

ATTORNEY DOCKET NO. 10011180-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Thomas A. Saksa

Confirmation No.: 5070

Application No.: 09/940,363

Examiner: Amy R. Cohen

Filing Date: Aug. 27, 2001

Group Art Unit: 2859

Title: MEASUREMENT AND MARKING DEVICE

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

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REQUEST FOR CONTINUED EXAMINATION (RCE) 37 CFR 1.114

Subsection (b) of 35 U.S.C. 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Sir:

This is a Request for Continued Examination (RCE) under CFR 1.114 of the above-identified application.

NOTE 37 CFR 1.114 is effective on May 20, 2000. If the above- application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under CFR 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

Submission under 37 CFR 1.114

(X) Previously submitted:

(X) Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on Dec. 9, 2003.
(Any unentered amendment(s) referred to above will be entered).

() Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
() Other _____.

() Enclosed:

() Amendment/Reply
() Affidavit(s)/Declarations(s)
() Information Disclosure Statement (IDS)
() Other _____.

Miscellaneous

() Suspension of action is requested under 37 CFR 1.103(c) for a period of _____ months.
The fee for this Suspension is (37 CFR 1.17(i)) \$130.00
() Other _____.

**CONTINUED EXAMINATION TRANSMITTAL
(RCE) (37 CFR 1.114) (continued)**ATTORNEY DOCKET NO. 10011180-1

(X) RCE filing fee \$770.00

(X) A Petition for Extension of Time

(X)	one month	\$110.00
()	two months	\$420.00
()	three months	\$950.00
()	four months	\$1480.00

Please charge to Deposit Account 08-2025 the sum of \$880.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.26. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

(X) A duplicate copy of this transmittal letter is enclosed.

() I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450. Date of Deposit: _____

OR

(X) I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (703) 872-9306 on Feb. 23, 2004

Number of pages: 4

Typed Name: Scott A. Lund

Signature: 

Respectfully submitted,

Thomas A. Saksa

By 

Scott A. Lund

Attorney/Agent for Applicant(s)

Reg. No. 41,166

Date: Feb. 23, 2004

Telephone No.: (612) 573-2006